

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**EIGHT MILE STYLE, LLC; MARTIN
AFFILIATED, LLC,**

Plaintiffs,

v.

**SPOTIFY USA INC.;
THE HARRY FOX AGENCY LLC,**

Defendants.

CIVIL CASE NO.: 19-CV-00736

JUDGE ALETA A. TRAUGER

JURY DEMAND

SPOTIFY USA INC.,

Third-Party Plaintiff,

v.

**KOBALT MUSIC PUBLISHING
AMERICA, INC.**

Third-Party Defendant.

**DEFENDANT THE HARRY FOX AGENCY LLC’S MOTION TO EXCLUDE THE
OPINIONS OF QUENTIN BRADLEY**

Pursuant to Rule 702 of the Federal Rules of Evidence and Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, Defendant The Harry Fox Agency LLC (“HFA”) respectfully moves this Court to exclude the testimony of Plaintiffs’ proffered expert Quentin Bradley. In support of this Motion, HFA submits a Memorandum of Law and exhibits (the “Supporting Documents”), each of which have been filed under seal.

As set forth in the Supporting Documents, there are multiple infirmities in Bradley's opinions, each warranting the exclusion of his opinions. First, as evidenced in Bradley's Reports and deposition testimony, he lacks sufficient industry knowledge and experience to opine on HFA's processes as an expert in this case. Second, Bradley's technical opinions, also concerning HFA's processes, are not adequately informed by facts and data, rendering his opinions unreliable. Third, as set forth in the sealed Supporting Documents, Bradley's methods are unreliable. Fourth and finally, Bradley's inconsistent methods led him to inconsistent results.

"[T]he court's paramount consideration remains, as explicitly stated in Federal Rule of Evidence 702, whether the proffered testimony will assist the trier of fact." *Level 3 Comm., LLC v. Floyd*, 764 F. Supp.2d 945 (M.D. Tenn. 2011) (Trauger, J.) (citing Fed. R. Evid. 702). Based on the foregoing, and as set forth in the Supporting Documents, Bradley's opinions will not do so here. As a result, HFA respectfully requests that the Court enter an order precluding the expert witness testimony of Bradley.

Pursuant to Local Rule 7.01, HFA's counsel conferred with Plaintiffs' counsel regarding the relief sought in this motion. Plaintiffs oppose the motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of ***DEFENDANT THE HARRY FOX AGENCY LLC'S MOTION TO EXCLUDE THE OPINIONS OF QUENTIN BRADLEY*** was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all parties and counsel of record by operation of the Court's CM/ECF system, and via electronic and/or U.S. mail, postage prepaid, on September 22, 2023, to:

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